

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CYMEYON HILL,
Plaintiff,

v.

OFFICER DEFRANCO, et al.,
Defendants.

Case No. [20-cv-04028-YGR](#) (PR)

ORDER OF DISMISSAL

This federal civil rights action will be dismissed as duplicative of another pending action, *Hill v. Parin*, Case No. 20-cv-04027-YGR (PR).¹ The Court will allow Plaintiff to only pursue one action, and thus it will screen the earlier filed complaint in *Hill v. Parin*, Case No. 20-cv-04027-YGR (PR), in which Plaintiff pursues an action based on supervisory liability against Chief Deputy Warden R. Parin stemming from an incident on May 23, 2020 involving an assault on Plaintiff by an inmate named “Flanegan”/“Flanagan.”² Meanwhile, in the instant suit, which is also related to the May 23, 2020 incident, Plaintiff now adds four more defendants—three correctional officers (DeFranco, J. Juarez, and D. Hammel) and a lieutenant (E. Beam) for “failure to protect” Plaintiff. If Plaintiff wishes to pursue claims against Defendants DeFranco, Juarez, Hammel, and Beam, he must file an amended complaint in *Hill v. Parin*, Case No. 20-cv-04027-YGR (PR) containing such claims. For the foregoing reasons, the complaint is DISMISSED as duplicative.

The Clerk of the Court shall close the file.

IT IS SO ORDERED.

Dated: August 5, 2020


YVONNE GONZALEZ ROGERS
United States District Judge

¹ In a separate written Order, the Court has dismissed another pending action, *Hill v. DeFranco*, Case No. 20-cv-04795-YGR (PR), as duplicative of his earlier-filed actions: *Hill v. Parin*, Case No. 20-cv-04027-YGR (PR) and the instant suit. See Dkt. 5 in Case No. 20-cv-04795-YGR (PR).

² The inmate’s name is spelled in two different ways by Plaintiff.